

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION



Michele K. Harris LLC
Edgar S Harris LLC

Complaint for a Civil Case

Case No. _____

(to be filled in by the Clerk's Office)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

West Sun Shine Auto Sale LLC
Dan Stark & Tod Stark MacKenzie
Danny Hoggatt

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

REQUEST FOR TRIAL BY JURY

Plaintiff requests trial by jury. ☒ Yes ☐ No

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Edgar + Michele Harris
Street Address P.O Box 6182
City and County Springfield Greene
State and Zip Code Missouri 65801
Telephone Number 417 324 4191 or 417-324-2903
E-mail Address edgarharris19@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name ^{Sales Person} Danny Hoggatt
Dan Stark & Todd Stark McKenzie
Job or Title owner of West Sunshine Auto Sales
(if known)
Street Address 5194 West Sunshine
City and County Brookline, Greene
State and Zip Code Missouri 65619
Telephone Number 417 569 5553
E-mail Address westsunshineautosales@gmail.com
(if known)

Defendant No. 2

Name Plaza Fire Services
Job or Title Sales person M. Lockwood / Tech Scott
(if known)
Street Address 3828 W Sunshine St.
City and County Springfield, Greene

State and Zip Code Missouri 68807
Telephone Number 417-882-9900
E-mail Address www.plazatireservice.com
(if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only three types of cases can be heard in federal court. Provide the designated information for this type of case. (Check all that apply)

☐ Federal question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

☐ Suit against the Federal Government, a federal official, or a federal agency

List the federal officials or federal agencies involved, if any.

☒ Diversity of Citizenship

These are cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

A. The Plaintiff(s)

The plaintiff, (name) BOGAK MICHAEL HARRIS, is a citizen of the State of (name) MISSOURI.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

B. The Defendant(s)

1. If the defendant is an individual

The defendant, (name) Danny Hoggatt
Danny Stark is a citizen of
the State of (name) Missouri. Or is a citizen of
(foreign nation) _____.

2. If the defendant is a corporation

The defendant, (name) West
Sunshine Auto Sales is
incorporated under the laws of the State of (name)
Missouri, and has its principal place of
business in the State of (name) _____. Or is
incorporated under the laws of (foreign nation)
_____, and has its principal place of
business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

C. The Amount in Controversy \$5950.00

The amount in controversy----the amount the plaintiff(s) claims the defendant(s) owes or the amount at stake----is more than \$75,000, not counting interest and costs of court, because (explain):

Danny & his Mother that also works at
Sunshine Auto Sales as the person that keeps
the money books. She told me my husband she
would give us back our money. When we got to the
lot she was not there Danny was he called a tow truck
and the police and told police those people disrespe
ted my mom.

III. Statement of Claim

Write a short and plain statement of FACTS that support your claim. Do not make legal arguments. You must include the following information:

• What happened to you?

we were told to come to lot to get money back
And the police were called.

• What injuries did you suffer?

NO Physical injuries / But Mental Stress

• Who was involved in what happened to you?

Danny Stark called the police after telling us
to bring the car back for our money we get
the wife the mechanic Gifford P. Stewart who
is a witness Deputy Scott Rowe & Deputy Marshall #930

• How were the defendants involved in what happened to you? We purchased a car from Sunshine auto Sales from Danny. Danny said he would do some repairs on the vehicle. He sent us to Plaza tire where was not done with what

Where did the events you have described take place? we went for Sunshine auto Sales and Plaza tire located at

When did the events you have described take place? 3828 W. Sunshine St. SP MO 65807 417 882-9900 between March 29th to July 2, 2021

If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

March 29 until July 2021 we were told by Dan stark that plaza tire does favors for each other so take the car to plaza tire located at 3828 W. Sunshine SP MO 65807 (417) 882-9900 to get an oil change and new brakes on front. When we took the car to plaza they kept our car for two day but called us on the first day and said they have good news and bad news so the tech said the bad news is your tie rods are bad good news Danny said to fix it. We got the car back and the car had not had no work done we took it back to plaza they said they'll call Danny call us back for three weeks nothing we called Danny he argued the work was done, hung up in middle of face same as Danny's matter did. (cont. on separate sheet)

IV. Relief

State briefly and precisely what damages or other relief you want from the Court. Do not make legal arguments.

Our life was in danger the minute the car was sold we were asked to bring back the car on agreement of returning our money for the car we arrived with the mechanic and Danny called a tow truck and the police so were asking 5 million from each party who endangered our lives Plaza tire and

Do you claim the wrongs alleged in your complaint are continuing to occur at the present time?

Yes ☒

No ☐

West Sunshine auto Sales

Do you claim actual damages for the acts alleged in your complaint?

Yes ☒

No ☐

Do you claim punitive monetary damages?

Yes ☒

No ☐

①
West
Sunshine
auto sales
complaint:

We want to make it clear that Danny and his mother both knew at the time of our initial truck we tried to get there were no back tail lights it stopped on us we took it back asked for our money back from Danny he said he had a good running car it was as is Danny said he would get a battery whenever got we had to jumpstart the car to drive this is when Danny said because they don't have a mechanic I send you to ~~plaza~~ Plaza Tire cause they do each other favors and agreed to fix the brakes do an oil change. Went to plaza tire they didn't know anything about us getting any work done. So we had to wait till they contacted Danny that took four more days to do we took a mechanic to Danny to talk to him to let him know Plaza didn't do any work on the car. Danny was very rude to Gifford P. Stewart the mechanic Danny and his mom ask to see because Gifford took no time

⑥ Plaza Complaint

We took our car to Plaza Tire as directed. Plaza kept the car for two days on there. Receipt for the same day they were supposed to keep ~~my~~ car. The receipt says they did 30 min of work. We took the car back two days after. Told the manager he said the work was done. But could not remember who Danny was. So the manager said he would call Danny at West Sunrise Autosales and call us back. We heard nothing back after 3 weeks passed.

If you indicated that you claim actual damages or punitive monetary damages, state the amounts claimed and the reasons you claim you are entitled to recover these damages.

we're asking for 5 million with monetary and punitive damages from each company. These two LLC companies deliberately did not fix the work the both companies falsified paper dates and inspection for the car. the police were called before we could even speak to v. Danny and a few truck.

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: *July 12, 2021*

Signature of Plaintiff

Michael Walker Harris Edgar S. Harris

Printed Name of Plaintiff

Michael Walker Harris Edgar S Harris